

REMARKS

Status of the Claims

Claims 3 and 15-17 are pending in the present application with Claim 3 being independent.

Requested Action

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejection in view of the following remarks.

Claim Rejections

Claims 3 and 15-17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,062,579 (Tateyama et al.) in view of U.S. Patent Publication No. 2003/0081240 (Soto et al.).

This rejection is respectfully traversed for the following reasons.

Independent Claim 3 relates to a digital camera which can directly communicate with a printer, comprising a receiving unit that receives capability information of the printer from the printer, a determination unit that (a) determines, according to the received capability information, whether the printer has a first function of automatically detecting a paper size, and (b) determines, according to the received capability information, whether the printer has a second function of automatically detecting a paper type, and a user interface that notifies a user that the printer has the first and second functions if said determination unit determines that the printer has the first and second functions.

Thus, Claim 3 relates to an automatic paper-type and -size notifier that notifies a user whether a printer automatically detects a paper type and a paper size. In one non-limiting embodiment, these functions can be automatically performed by a printer, such as the printer 1000 shows in Figures 1-3 by using a paper type sensor 3031 and a paper size sensor 3032, shown in Figure 3. In this non-limiting example, the invention of Claim 3 would notify the user that the printer 1000 automatically detects paper size and the paper type as a result of the printer's use of sensors 3031 and 3032.

In contrast, the citations to Tateyama et al. and Soto et al. are not understood to relate to such a notifier that notifies a user whether a printer automatically detects a paper type and a paper size. Therefore, these citations are not understood to disclose or suggest a user interface that notifies a user that the printer has the first and second functions of automatically detecting a paper size, and automatically detecting a paper type, respectively, if a determination unit determines that the printer has the first function of automatically detecting a paper size, and the second function of automatically detecting a paper type, according to the received capability information received from the printer by a receiving unit, as recited by Claim 3.

Page 3 of the Office Action admits that "Tateyama does not disclose expressly a user interface that notifies a user that the printer has a first function of automatically detecting a paper size and a second function of automatically detecting a paper type if a determination unit determines that the printer has the first and second functions". For this reason, the Office Action cites the Soto et al. publication to teach print setting software 240 that 1) generates a display including information such as the selected printing device (paragraph [0026]), 2) retrieves print settings information from the printing device 155

(paragraph [0028]), and 3) displays the print settings (paragraph [0028]), where the print settings include settings that can be modified at a control panel of the printer or in another way, and include “image orientation, predefined media sizes, color settings or options, quality levels, color emulations, and the like” (paragraph [0028]).

However, as is understood to be discussed in paragraph [0028], these displayed print settings are merely print parameters that are set in the printer, and can be modified by the user using a control panel or other device. There does not appear to be any disclosure that what is displayed is information about the automatic detecting functions the printer performs. Thus, these paragraphs of the Soto et al. publication are not understood to relate to a user interface that notifies a user that a printer has a first function of automatically detecting a paper size or a second function of automatically detecting a paper type, as recited by Claim 3. Even if the print setting software 240 displays the print settings, such display is not understood to inform the user of the automatic functions performed by the printer (e.g., whether the printer automatically detects the paper size or the paper type). In other words, the setting of a print parameter does not necessarily require the printer to automatically perform the detecting functions recited by Claim 3. As a result, the merely setting of the media type on which printing is to occur does not necessarily mean that the printer automatically detects the type of paper set in the printer. Stated another way, just because the software 240 the Soto et al. publication displays the setting of the print media in the printer 155 does not necessarily mean that the printer 155 has a paper type sensor 3031 or a paper size sensor 3032, for example, as shown in Figure 3 of the present application. Thus, Applicants submit that the Office has not satisfied its burden of proof to establish that the display of print settings in paragraphs [0026] and [0028] is the same as a

user interface that notifies a user that the printer has the first and second functions of automatically detecting a paper size, and automatically detecting a paper type, respectively, if a determination unit determines that the printer has the first function of automatically detecting a paper size, and a second function of automatically detecting a paper type, according to the received capability information received from the printer by a receiving unit, as recited by Claim 3.

Therefore, Applicants submit that Claim 3 recites at least one feature not disclosed or suggested by the citations to Tateyama et al. and Soto et al. As a result, the Office has not yet satisfied its burden of proof to establish a prima facie case of obviousness against Claim 3, since MPEP § 2142 requires the cited art to disclose or suggest all the claimed features. Accordingly, Applicants respectfully request that the rejection of Claim 3 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

Conclusion

In view of the above remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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